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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,978	10/30/2003	Alessandro De Matteis	141483.00001-P1242US00	7862
25207 7590 05/03/2007 POWELL GOLDSTEIN LLP ONE ATLANTIC CENTER FOURTEENTH FLOOR 1201 WEST PEACHTREE STREET NW ATLANTA, GA 30309-3488			EXAMINER AFZALI, SARANG	
			ART UNIT 3726	PAPER NUMBER
			MAIL DATE 05/03/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/696,978

Applicant(s)

DE MATTEIS, ALESSANDRO

Examiner

Sarang Afzali

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed 12 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) 4-11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 February 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. The applicant's amendment filed on 1/19/2007 has been fully considered and made of record.

Election/Restrictions

2. Claim 4 withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 6/29/2006. The Applicant elected Group I, method claims 1-4 and Species A, drawn on claim 3. Therefore, by the Applicant's election of Species A (claim 3) over Species B (claim 4), in effect claim 4 has been withdrawn from further consideration.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Madsen et al. (US 6,209,867).

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5. As applied to claim 1, Madsen et al. teach a method for selectively activating suction holes (409, Fig. 4) of rollers (roller 402, Fig. 4) of paper converting machines, a said roller comprising a suction chamber (inside the tube but not labeled) and a channel (407, Fig. 4), the suction chamber being connected to suction means (not shown), comprising the steps of:

(a) providing an interposition element (plate or sleeve 413, Fig. 4) arranged between said suction holes (409, Fig. 4) and said suction chamber (not shown), said interposition element having a plurality of interposition holes (apertures 417, Fig. 4), and

(b) sliding said interposition element (413) between a first position and a second position in said channel (407), wherein at said first position at least one of said interposition holes is aligned with a said suction hole, bringing said suction hole into communication with said suction chamber; wherein at said second position said at least one interposition hole is not aligned with said suction hole, thereby interrupting communication between said suction hole and said suction chamber (col. 4, lines 58-65).

Note that the first position is the position where the hole (aperture 417) of the interposition element (413) lines up (Fig. 1A, top right corner) with the suction hole (409) of the roller (402) and the second position is where the hole (aperture 417) of the interposition element (413) does not line up (Fig. 1A, top left corner) with the suction hole (409) of the roller (402).

Note that Madsen et al. teach a vacuum holddown (401, Fig. 4) with a cylindrical roller (402) including the inner surface (411, Fig. 4) which would receive both the

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interposition element (sliding plate or sleeve 413 with an inner surface 415, Fig. 4) and suction chamber/suction means (not shown) inside the inner surface (415).

As applied to claim 2, Madsen et al. teach a method wherein said interposition element has a plurality of positions and at least one of said interposition holes is slotted (apertures 417 are slotted) so that said at least one slotted interposition hole is aligned with said suction hole in at least two positions of said interposition element (two positions at the top right side, Fig. 1A).

As applied to claim 3, Madsen et al. teach a method wherein said chamber is a longitudinal chamber, and said sliding is carried out in a longitudinal direction (direction arrow 101, Fig. 4).

As applied to claim 12, Madsen et al. teach a method wherein the interposition element (413) has interposition holes arranged to cause both a first pattern of suction holes to be in communication with said suction chamber (top row, Fig. 1C) and a second pattern of suction holes to be in communication with said suction chamber (second row from the bottom, Fig. 1C), the first pattern and the second pattern being separated by suction holes which are not in communication with said suction chamber (middle rows, Fig. 1C), the method further comprising securing a first paper product using said first pattern while simultaneously securing a second paper product using said second pattern, the second paper product being spaced apart from said first paper product by at least one suction hole which is not in communication with said suction chamber (col. 5, lines 18-31).

Response to Arguments

6. Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection.

7. Applicant's arguments, see "Remarks", pages 1-2, with respect to the objection to the drawings, informalities of claim 1, and the rejection of claims 1-3 under 35 USC 112 2nd paragraph, have been fully considered and are persuasive. The objection to the drawings and claim 1, and rejection of claims 1-3 under 35 USC 112 2nd paragraph have been withdrawn.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sarang Afzali whose telephone number is 571-272-8412. The examiner can normally be reached on 7:00-3:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bryant can be reached on 571-272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SA
4/25/2007



DAVID P. BRYANT
SUPERVISORY PATENT EXAMINER

4/27/07